

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DRIVE DEVELOPMENTS, INC.;	§	
BAE SYSTEMS TACTICAL VEHICLE	§	
SYSTEMS LP; and LARRY OSENTOSKI,	§	
	§	
Petitioners,	§	
	§	
vs.	§	Civil Action No. 4:10-cv-01114
	§	
MTS TECHNOLOGIES, INC.,	§	
	§	
Respondent.	§	

**RESPONDENT MTS TECHNOLOGIES, INC.’S NOTICE OF WITHDRAWAL OF
MOTION FOR STAY OF CONFIRMATION OF THE ARBITRATION AWARD**

TO THE HONORABLE JUDGE ELLISON:

Respondent MTS Technologies, Inc. (“MTS”) hereby provides notice that it is withdrawing its Motion for Stay of Confirmation of the Arbitration Award filed on June 11, 2010. (Docket No. 14.) By this Court’s order, this motion had been set for hearing on June 23, 2010. (Docket No. 15.)

This withdrawal leaves Petitioners’ Joint Petition to Confirm Arbitration Award and MTS’s Petition for Partial Vacatur (with brief in support) as the remaining issues in this proceeding. Petitioners have not yet filed a response to MTS’s Petition for Partial Vacatur. (Docket Nos. 11 & 12.) Those pleadings are currently set to be heard on August 6, 2010 at 1:45 p.m., per an unopposed motion filed by Petitioners DRIVE Developments and Osentoski and joined by Petitioner BAE, which was granted by this Court. (Docket Nos. 9 & 10.)

Respectfully submitted,

/s/ Kenneth E. Broughton

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**ATTORNEYS FOR RESPONDENT,
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CERTIFICATE OF SERVICE

I certify that on this 23rd day of June 2010, a true and correct copy of the foregoing instrument was served via electronic means through transmission facilities from the Court upon those parties authorized to participate and access the Electronic Filing System for the Southern District of Texas:

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